

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NEW JERSEY COALITION OF
AUTOMOTIVE RETAILERS, INC.,

Plaintiff,

v.

MAZDA MOTOR OF AMERICA, INC.

Defendant.

Case No. 3:18-cv-14563-BRM-TJB

DECLARATION OF Kevin DiPiano

I, Kevin DiPiano, declare:

1. I am the owner and dealer principal of Wayne Mazda. I have personal knowledge of the facts stated herein.
2. Wayne Mazda is a Mazda dealership located at 1244 Route 23 North, Wayne, NJ 07470. I have owned Wayne Mazda since August 3, 2001.
3. Wayne Mazda is a member of the New Jersey Coalition of Automotive Retailers, Inc. ("NJ CAR"). Wayne Mazda has been a member of NJ CAR for as long as I have owned the dealership/since August 2001.
4. I understand that Mazda Motor of America, Inc. d/b/a Mazda North American Operations ("Mazda") has a dealer support program known as the "Mazda Brand Experience Program 2.0 ("MBEP").

5. Wayne Mazda has participated in the MBEP since its inception in July 2018.

6. I do not believe that Wayne Mazda has been harmed by its participation in the MBEP.

7. I understand that NJ CAR has filed a lawsuit against Mazda seeking a ruling that it is unlawful for Mazda to implement the MBEP in New Jersey (the "Action").

8. I did not direct NJCar to file the Action.

9. I believe that the Action is contrary to the interests of my dealership, and I cannot support it. If the MBEP is declared unlawful, Wayne Mazda will be harmed because (among other things) it will no longer be able to recover the costs it incurred to comply with the MBEP criteria through future MBEP bonus payments.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Wayne, New Jersey on December 12, 2018.

A handwritten signature in black ink, appearing to read "Kevin DiPiano", written over a horizontal line.

Kevin DiPiano